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* Admitted in NY only
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April 1, 2002

Commissioner for Patents
Box Sequence
Washington, D.C. 20231

Re: U.S. Patent Application No. 09/922,568
Title: Transgenic Organisms Having Transcriptional Activators
With Graded Transactivation Potential (As Amended)
Filed: August 3, 2001
Inventors: Udo Baron et al.
Attorney's Docket No. BBI-088CPADV2

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (2 pages, in duplicate);
2. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 page);
3. Preliminary Amendment (3 pages);
4. Request for Correction of Filing Receipt (1 page);
5. Copy of Filing Receipt with changes noted thereon (2 pages); and
6. A Pre-Paid Acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence, Washington, D.C. 20231 on:

April 1, 2002

Date

Giulio A. DeConti, Jr., Esq., Reg. No. 31,503

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Giulio A. DeConti, Jr., Esq.
Reg. No. 31,503
Attorney for Applicants



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/922,568	08/03/2001	Udo Baron	BBI-088CPADV2

LAHIVE & COCKFIELD
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BOSTON, MA 02109

CONFIRMATION NO. 9670

FORMALITIES LETTER



OC000000007407594

Date Mailed: 02/01/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

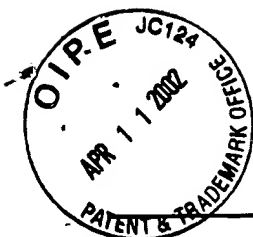
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Udo Baron, et al.

Serial No.: 09/922,568

Filed: August 3, 2001

For: *Transgenic Organisms Having Transcriptional Activators with Graded Transactivation Potential (as amended)*

Attorney Docket No. BBI-088CPADV2

Group Art Unit: 1752

Examiner: Not Yet Assigned

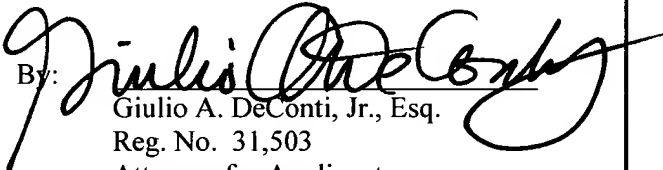
Commissioner for Patents
Box Sequence
Washington, D.C. 20231

Certificate of First Class Mailing

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4-1-02
Date of Signature and of Mail Deposit

By:


Giulio A. DeConti, Jr., Esq.
Reg. No. 31,503
Attorney for Applicants

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Dear Sir:

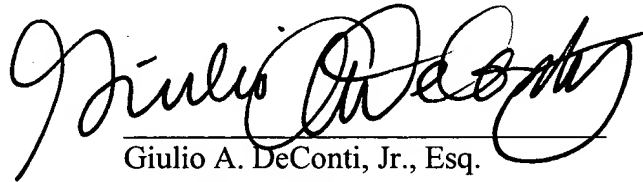
This is in response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated February 1, 2002.

Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for the instant application is identical with the computer readable form of the sequence listing filed in Application Serial No. 09/577,027, filed May 23, 2000. Please use the computer readable form of the sequence listing filed in Application Serial No. 09/577,027 for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form of the sequence listing that will be used for the instant application. A paper copy of the amended sequence listing was filed on August 3, 2001 for the instant application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the amended sequence listing filed in the instant application and the computer readable form of Application Serial No. 09/577,027 are the same.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Giulio A. DeConti, Jr., Esq.

Reg. No. 31,503

Attorney for Applicants

28 State Street
Boston, MA 02109
Tel. (617) 227-7400
Date: **April 1, 2002**



Receipt #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Udo Baron, et al.

Serial No.: 09/922,568

Filed: August 3, 2001

For: Transgenic Organisms Having Transcriptional
Activators with Graded Transactivation
Potential (As Amended)

Attorney Docket No. BBI-088CPADV2

Group Art Unit: 1752

Examiner: Not Yet Assigned

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

The Filing Receipt for the above-identified patent application does not list the correct Domestic Priority Data as submitted by Applicants. The Domestic Priority Data should read:

THIS APPLICATION IS A DIV OF **09/577,027 05/23/2000**
WHICH IS A DIV OF 08/888,080 07/03/1997

A copy of the Filing Receipt with the changes noted thereon is enclosed herewith, along with a Preliminary Amendment filed on even date herewith.

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence, Washington, DC 20231 on:

April 1, 2002

Date

Giulio A. DeConti, Jr., Esq., Reg. No. 31,503

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Giulio A. DeConti, Jr., Esq.
Reg. No. 31,503
Attorney for Applicants



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/922,568	08/03/2001	1752	710	BBI-088CPADV2	4	19	3

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 9670

FILING RECEIPT



OC000000007407593

Date Mailed: 02/01/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Udo Baron, St. Ilgen, GERMANY;
Manfred Gossen, El Cerrito, CA;
Hermann Bujard, Heidelberg, GERMANY;

Assignment For Published Patent Application

BASF Aktiengesellschaft;

Domestic Priority data as claimed by applicant

09/577,027 05/23/2000
THIS APPLICATION IS A DIV OF 00/657,027 04/20/2000 *
WHICH IS A DIV OF 08/888,080 07/03/1997 PAT 6,087,166
(*) Data inconsistent with PTO records.

Foreign Applications

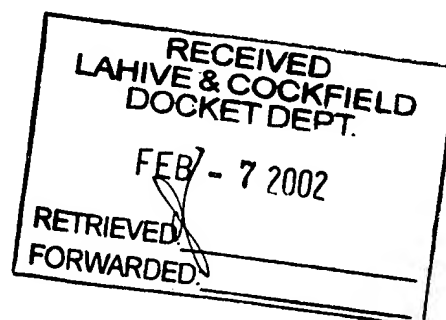
If Required, Foreign Filing License Granted 01/31/2002

Projected Publication Date: To Be Determined - pending completion of Sequence Disclosures

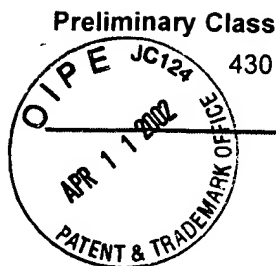
Non-Publication Request: No

Early Publication Request: No

Title



Transgenic organisms having transcriptional activators with graded transactivation potential



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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